

## FACULTY

# Publications, Presentations, and Honors

The School of Law's faculty has a well-deserved reputation for producing outstanding legal scholarship, as evidenced by the rich array of books, articles, working papers, and conference presentations its members complete each year. The entries on the following pages represent only a sampling of the diverse scholarly activities of our academic community from the 2011-2012 academic year. For a more complete listing and actual links to articles, visit [www.law.umaryland.edu/scholarship](http://www.law.umaryland.edu/scholarship).

**Taunya Lovell Banks** published the article "Funding Race as Biology: The Relevance of 'Race' in Medical Research," 12 MINNESOTA JOURNAL OF LAW, SCIENCE AND TECHNOLOGY 571 (2011), and contributed the book chapter "Black Pluralism in Post-Loving America" in *Loving v. Virginia In A Post-Racial World: Rethinking Race, Sex, And Marriage* (K. Maillard and R. Villazor, eds.) (Cambridge University Press, 2012). She participated in a panel discussion entitled "Beyond the Realists and the Critics: Is the Supreme Court Even a Court?" at the June 2012 Law & Society Annual Meeting, and participated in a panel discussion on ethics in medical education, research, treatment, and practice at the Enoch Pratt Free Library.

**Jane F. Barrett** published the article "When Business Conduct Turns Violent: Bringing BP, Massey, and Other Scofflaws to Justice," 48 AMERICAN CRIMINAL LAW REVIEW 287 (2011).

**Barbara Bezdek** co-authored the book *Housing & Community Development: Cases and Materials* (4th ed.), and published the article "Dreaming in Chinese: Accountable Development," 27 MARYLAND JOURNAL OF INTERNATIONAL LAW 48 (2012).

**Brenda Bratton Blom** contributed the book chapters "Mentoring and Professional

Responsibility" (with Dorcas Gilmore) and "Charting a New Course: New Methods for Teaching Professional Responsibility in a Post-Carnegie World" (with others) in *Reflections on Law and Leadership: Integrating Leadership into the Law School Curriculum* (P. Monopoli and G. Sorenson, eds.) (Ashgate Press, forthcoming), and "Legal Resource Networks" (with Philip Robinson) in *Reinventing the Practice of Law: Innovations for Lawyers Representing People* (L. Herrera, ed.) (American Bar Association, 2011).

**David Bogen** published the articles "Memories of Professor Chiu," 27 MARYLAND JOURNAL OF INTERNATIONAL LAW 3 (2012), and "From Racial Discrimination to Separate but Equal: The Common Law Impact of the Thirteenth Amendment," 38 OHIO NORTHERN UNIVERSITY LAW REVIEW 117 (2011). He also presented "CRES Programs for Legal Education" at the AALS Workshop "Teaching Innovations," Marriott Hotel, Washington, DC.

**Richard Boldt** published the articles "Decisional Minimalism and the Judicial Evaluation of Gun Regulations," 71 MARYLAND LAW REVIEW 1177 (2012); "Adolescent Decision Making: Legal Issues with Respect to Treatment for Substance Misuse and Mental Illness," 15 JOURNAL OF HEALTH CARE LAW & POLICY 75 (2012); and "Drug Policy in Context: Rhetoric and Practice in the United

States and the United Kingdom," 62 SOUTH CAROLINA LAW REVIEW 261 (2011). He also presented "Mental Illness and the Criminal Justice System, Greenwall Fellowship Program in Bioethics and Health Policy," at the Johns Hopkins University Berman Institute of Bioethics (Spring 2012).

**Danielle Citron** published the articles "Intermediaries and Hate Speech: Fostering Digital Citizenship for the Information Age," 91 BOSTON UNIVERSITY LAW REVIEW 1435 (2011) (with Helen Norton), "Network Accountability for the Domestic Intelligence Apparatus," 62 HASTINGS LAW JOURNAL 1441 (2011) (with Frank Pasquale), and "Mainstreaming Privacy Torts," 99 CALIFORNIA LAW REVIEW 1805 (2011). She also contributed the book chapter "Civil Rights in the Information Age," in *The Offensive Internet: Speech, Privacy and Reputation* (M. Nussbaum & S. Levmore eds., 2011). She was an invited speaker to New York University's Power and Technology Roundtable discussion, and the Congressional Internet Caucus Committee's State of the Net Conference. She was also called to testify before the Inter-Parliamentary Committee on Anti-Semitism for the Task Force on Online Hate in the United Kingdom's House of Commons, and gave written testimony before Hawaii's State Senate.

**Doug Colbert** published the articles "Prosecution Without Representation," 59 BUFFALO LAW REVIEW 333 (2011) and "Clinical Professors' Professional Responsibility: Preparing Law Students to Embrace Pro Bono," 18 GEORGETOWN JOURNAL OF POVERTY LAW & POLICY 309 (2011).

**Robert Condlin** published the article "Bargaining Without Law," 56 NEW YORK LAW SCHOOL LAW REVIEW 213 (2012); presented an article, "The Curious Case of

Transformative Dispute Resolution: An Unfortunate Marriage of Intransigence, Exclusivity, and Hype,” at the New York Law School Clinical Theory Workshop; and is presently working on an article about the Supreme Court’s treatment of the Rules Enabling Act, entitled “Disabling the Enabling Act: Just Another Bad Opera?”

**Karen Czapsanski** published the article “Disabled Kids and Their Moms: Caregivers and Horizontal Equity,” 19 *GEORGETOWN JOURNAL ON POVERTY LAW AND POLICY* 43 (2012).

**Kathleen Dachille** published the articles “U.S. Health Policy Related to Hookah Smoking,” 50 *JOURNAL OF ADOLESCENT HEALTH* S12 (2012) (with others), and “Using Law to Improve Public Health: The Tobacco Example,” *NEW YORK STATE BAR ASSOCIATION HEALTH LAW JOURNAL SPECIAL ISSUE: PUBLIC HEALTH LAW AND ETHICS* (2012). She presented “Hydraulic Fracturing: State and Federal Regulation,” at the Physicians, Scientists and Engineers for Healthy Energy (PSE) and the Mid-Atlantic Center for Children’s Health and the

Environment (MACCHE) Conference: “Epidemiologic and Public Health Considerations of Shale Gas Production: The Missing Link,” Arlington, VA. She also served as a panelist for “How to Build a Model Local Public Health Program” at the UMB/DHMH Summit on Childhood Obesity, in Baltimore, presenting “Locals Taking Lead: Tobacco Control in Maryland,” and served as a panelist for “Health Law Special Interest Group Environmental Law” at the APHA Annual Meeting, presenting “Hydraulic Fracturing: Potential Health Impacts and Public Health Response.”

**Peter Danchin** published the article “Islam in the Secular Nomos of the European Court of Human Rights,” 32 *MICHIGAN JOURNAL OF INTERNATIONAL LAW* 663 (2011), and will publish “The Tangled Politics of Religious Freedom,” 10 *SANTA CLARA JOURNAL OF INTERNATIONAL LAW* (forthcoming 2012), and “The Puzzle of Offense: Reflections on the Danish Cartoon and Park51 Mosque Controversies,” 4 *BERKELEY JOURNAL OF MIDDLE EASTERN AND ISLAMIC LAW* (forthcoming 2012).

**Jerome Deise** published the article “The Heavy Thumb on the Scale: The Effect of Victim Impact Evidence on Capital Decision Making,” 49 *CRIMINOLOGY* 129 (2011) (with Raymond Paternoster).

**Deborah Thompson Eisenberg** published the articles “*Wal-Mart Stores v. Dukes*: Lessons for the Legal Quest for Equal Pay,” 46 *NEW ENGLAND LAW REVIEW* 229 (2012) and “Money, Sex and Sunshine: A Market-Based Approach to Pay Discrimination,” 43 *ARIZONA STATE LAW JOURNAL* 951 (2011). She was invited to testify about pay discrimination and mediation as part of the national Strategic Enforcement Plan of the Equal Employment Opportunity Commission, Washington, D.C. She presented “Chevron and the Agency Amicus Strategy” at the Sixth Annual Employment & Labor Law Scholars’ Forum at Seton Hall Law School, Newark, NJ, and “The Overuse of Summary Judgment in Equal Pay Cases” at the symposium “Trial by Jury or Trial by Motion?” at New York Law School, New York, NY.



**PROFESSOR JANE F. BARRETT** (*back row, far right*) and the Environmental Law Clinic received the American Bar Association’s 2012 Award for Distinguished Achievement in Environmental Law and Policy. The Award is given annually by the ABA Section of Environment, Energy and Resources to an individual or organization for contributing significant leadership in improving the substance, process, or understanding of environmental protection and sustainable development.





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**LARRY GIBSON (center)** received an honorary Doctor of Laws degree from Morgan State University, in recognition of his achievements as “a guardian of public law, a champion of human rights and a major shaper of the next generation of America’s legal minds.” MSU President David Wilson bestowed the honor May 19 at the university’s 136th annual commencement ceremony in Baltimore.

**Martha Ertman** contributed the book chapters “The Productive Tension between Official and Unofficial Stories of Fault in Contract Law,” in *Fault in American Contract Law* (O. Ben-Shahar & A. Porot eds., 2011) and “Love & Contracts in Don Quixote,” in *Don Quixote: A Modern Hero* (Juan de la Cuesta-Hispanic monographs, forthcoming 2012), and will publish the article “Exchange as a Cornerstone of Families,” 34 WESTERN NEW ENGLAND LAW REVIEW (forthcoming 2012). She presented “Love and Cohabitation Contracts,” for a Marriage, Family & Theology class at the University of Portland, Portland, OR; “Contracting in and out of Fatherhood,” at Thomas Jefferson Law School’s Annual Women & the Law Conference, Thomas Jefferson Law School, San Diego, CA; “Freedom of Contract in Parenthood” as a part of a speaker series on freedom at The College of New Jersey, and “Plan B Baby-making: The Big Business of Reproductive Technologies,” at the University of Chicago’s The State, Gender and Family workshop.

**Don Gifford** will publish two separate articles, “The Constitutional Bounding of

Adjudication: A Fuller(ian) Explanation for the Supreme Court’s Mass Tort Jurisprudence,” 44 ARIZONA STATE LAW JOURNAL (forthcoming 2012) and “What’s on First? Organizing the Casebook and Molding the Mind” (the second article with J. Kroart, B. Jones and C. Cortemegila), 44 ARIZONA STATE LAW JOURNAL (forthcoming 2012), and published the article “Climate Change and the Public Law Model of Torts: Reinvigorating Judicial Restraint Doctrines,” 92 SOUTH CAROLINA LAW REVIEW 201 (2011). He presented “Cracking the Code—A Model Industry Response to the Plaintiff Bar’s State Attorneys General (Parens Patriae) Products Liability Casebook,” Blank Rome Annual Conference on Significant Legal Developments Affecting the Chemical, Oil and Gas Industries, Philadelphia, PA, and “Governing through Tort Litigation: Global Warming, Tobacco, and Lead,” University of Maryland School of Public Policy, Tuesday Policy Forum, College Park, MD.

**Mark Graber** co-authored the book *American Constitutionalism: Volume 1, Structures of Government* (with H. Gillman and K. Whittington) (Oxford University

Press, 2012); published “Hollow Hopes and Exaggerated Fears: The Canon/Anticanon in Context,” 125 HARVARD LAW REVIEW FORUM 33 (2011), and “Constitutional Democracy, Human Dignity, and Entrenched Evil,” 38 PEPPERDINE LAW REVIEW 889 (2011); and will publish the article “Redeeming and Living with Evil,” MARYLAND LAW REVIEW (forthcoming 2012), and will co-edit the book *American Constitutionalism: Volume II, Rights and Liberties* (with H. Gillman and K. Whittington) (Oxford University Press, forthcoming 2012). He also presented “The Judicial Allocation of Constitutional Authority” at Florida State University School of Law.

**David Gray** published the article “Beyond Experience: Getting Retributive Justice Right,” 99 CALIFORNIA LAW REVIEW 101 (2011) (with others), and will contribute the book chapters “Transitional Disclosures: What Transitional Justice Reveals About ‘Law,’” in *Transitions: Legal Change, Legal Meanings* (A. Sarat ed., forthcoming 2012) and “Feminist Perspectives on Extraordinary Justice,” in *Conflict and Transitional Justice: Feminist Approaches* (M. Fineman & E. Zinsstag, eds., forthcoming 2012) (with Benjamin Levin). He also presented “A Spectacular Non-Sequitur” at Georgetown Law School, the Ohio State Moritz College of Law, the University of Utah S.J. Quinney College of Law, Case Western Reserve School of Law, and at the Law and Society Association Annual Meeting.

**Oscar Gray** published *2011 Supplement No. 2* and *2012 Supplement No. 1* to *Harper, James and Gray on Torts*, which comprise cumulative supplements to vols. 1-5 of the parent volumes, and revisions and updates to vol. 6 (index and other endpapers). *2012 Supplement No. 2* is forthcoming.

**Michael Greenberger** published “Overwhelming a Financial Regulatory Black Hole with Legislative Sunlight: Dodd-Frank’s Attack on Systemic Economic Destabilization Caused by an Unregulated Multi-Trillion Dollar Derivatives Market,” 6 JOURNAL OF BUSINESS & TECHNOLOGY LAW 127 (2011). He will publish

"Diversifying Clearinghouse Ownership in Order to Safeguard Free and Open Access to the Derivatives Clearing Market," 17 FORDHAM JOURNAL OF CORPORATE & FINANCIAL LAW (forthcoming 2012); and "The Extraterritorial Application of the Dodd-Frank Act Protects U.S. Taxpayers from Worldwide Bailouts," 80 UMKC LAW REVIEW (forthcoming 2012). He testified on Wall Street's role in excessive speculation in crude oil markets before the Democratic Steering and Policy Committee of the U.S. House of Representatives, the Small Business Committee of the U.S. House of Representatives, and the Democratic Caucus of the U.S. House of Representatives. He also participated on a panel entitled "Regulation of Over-the-Counter Derivatives" at a conference sponsored by the FORDHAM JOURNAL OF CORPORATE & FINANCIAL LAW, a panel entitled "Socio-Economic Approaches to Economic Recovery" at the Association of American Law Schools Annual Meeting in Washington, DC, and a panel entitled "Central Bank Independence, Financial Reform and Financial Stability at the 21st Annual Hyman P. Minsky Conference on the State of the U.S. and World Economics in New York, NY. He organized a symposium, "Ten Years After 9/11: Building a Prepared and Resilient Maryland" for Maryland Governor Martin O'Malley.

**Phoebe Haddon** will publish the article "The Challenges of Providing Access and Diversity in Difficult Economic Times" in the JOURNAL OF CIVIL RIGHTS AND ECONOMIC DEVELOPMENT (forthcoming 2012), and has contributed a chapter to "Leadership Studies for Lawyers of the Future" in *Law and Leadership: Integrating Leadership Studies into the Law School Curriculum* (P. Monopoli and S. McCarty, eds.) (Ashgate Publishing Ltd., forthcoming 2012). She participated in several panel discussions, including the plenary session "A Vision for Maximizing Academic Support Programs," and "Fostering Diversity and Excellence During Challenging Economic Times," at the Association of American Law Schools annual meeting, Washington, DC; "Goals and Significant Proposals," a plenary discussion of proposed changes to the

American Bar Association's accreditation standards, at the ABA Deans Workshop, San Diego, CA; and "A Dean's Perspective: Service and Institutional Citizenship," the keynote address to the Association of American Law Schools 2012 Workshop for New Law School Teachers in Washington, DC. She also participated in the "Still Waiting for that Major Donor? Creative Financing in Challenging Times" panel at the American Bar Association's Bricks, Bytes and Continuous Renovation 2012, San Diego, CA; and delivered "The Secret of Success: Mentors and Excellence," a speech given to Baltimore high school students and their families at WBFF-Fox 45's Champions of Courage Award Ceremony; the Baltimore Leadership School for Young Women; and St. Paul's School for Girls' Academic Awards Assembly.

**Susan Hankin** published the article "Bridging Gaps and Blurring Lines: Integrating Analysis, Writing, Doctrine, and Theory," 17 LEGAL WRITING: JOURNAL OF THE LEGAL WRITING INSTITUTE 325 (2011), and presented "Teaching Courses That Integrate Analysis, Writing, Doctrine and Theory" (with Sherri Lee Keene), at the Second Annual Capital Area Legal Writing Conference, Georgetown University Law Center, Washington, DC.

**Michelle Harner** published the articles "Activist Distressed Debtholders: The New Barbarians at the Gate?," 89 WASHINGTON UNIVERSITY LAW REVIEW 155 (2011); "Committee Capture? An Empirical Analysis of the Role of Creditors' Committees in Business Reorganizations," 64 VANDERBILT LAW REVIEW 749 (2011) (with Jamie Marincic); "Mitigating Financial Risk for Small Business Entrepreneurs," 6 OHIO STATE ENTREPRENEURIAL BUSINESS LAW JOURNAL 471 (2011) (symposium piece); "Behind Closed Doors: The Influence of Creditors in Business Reorganizations," 34 SEATTLE UNIVERSITY LAW REVIEW 1155

(2011) (with Jamie Marincic) (symposium piece); "The Search for an Unbiased Fiduciary in Corporate Reorganizations," 86 NOTRE DAME LAW REVIEW 469 (2011); and "The Value of 'Thinking Like a Lawyer'," 70 MARYLAND LAW REVIEW 390 (2011) (symposium piece). She will be publishing "The Naked Fiduciary," 54 ARIZONA LAW REVIEW (forthcoming 2012) (with Jamie Marincic); and "Gender and Securities Law in the Supreme Court," 33 WOMEN'S RIGHTS LAW REPORTER (forthcoming 2012) (with Lyman Johnson and Jason Cantone). She presented "Investor Disclosures: Is More Really Better?," at the 2012 Southeastern Association of Law Schools Annual Meeting; "Facilitating Successful Failures," at the 2012 Law & Society Annual Meeting; "The Naked Fiduciary," at the 2012 Law & Entrepreneurship Retreat, hosted by the Mauer School of Law, Indiana University, Bloomington, Indiana; and "Gender in the Supreme Court: Securities Decisions," at the AALS Workshop for Women in Legal Education: Women Rethinking Equality.

**Leslie Meltzer Henry** published the articles "Commerce Games and the Individual Mandate," 100 GEORGETOWN LAW JOURNAL 1117 (2012) (with Max Stearns), "Adolescent Decision-Making and the Law of the Horse," 15 JOURNAL OF HEALTH CARE LAW AND POLICY (2012) (with Amanda Pustilnik), and "The Jurisprudence of Dignity," 160 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 169 (2011). She also served as Guest Editor of the FORUM FOR HEALTH ECONOMICS AND POLICY symposium issue on "Health Care Cost-Containment Strategies" (2012), and was interviewed on ABC News: "Local Bioethicist Weighs in on Health Care Battle."

**Renée Hutchins** published a book review of "The New Jim Crow by Michelle Alexander," 47 CRIMINAL LAW BULLETIN 522 (2011), and the Op-Ed, "A Step Back for



**MICHELLE HARNER was elected to the American Law Institute and was selected as a reporter for the American Bankruptcy Institute's Commission to Study the Reform of Chapter 11.**



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Rights,” *Baltimore Sun* (January 29, 2012). She presented her work, “You Can’t Handle the Truth! Credibility and Appellate Courts,” at the Criminal Law Research Collective, held at George Washington University School of Law, Washington, D.C. and at the Clinical Theory Workshop held at New York Law School, New York, NY. In addition to other presentations, she was a panelist on “Careers in Clinical Law Teaching” at Yale Law School, New Haven, CT, and “Maryland Law Information Session” at Spelman College, Atlanta, GA. She also successfully briefed and argued a consolidated appeal before Maryland’s highest appellate court, *Ellis Richard Douglas, Jr. v. State of Maryland and Lamont Curtis v. State of Maryland*, Nos. 146 and 147, Court of Appeals of Maryland.

**Lee Kovarsky** published the articles “Original Habeas Redux,” 97 *VIRGINIA LAW REVIEW* 61 (2011) and “Habeas Verite,” 46 *TULSA LAW REVIEW* 13 (2011) (book review), and will publish “A Constitutional Theory of Habeas Power,” 98 *VIRGINIA LAW REVIEW* (forthcoming 2012). He will also co-author the book *Federal Habeas Corpus:*

*Executive Detention and Post Conviction Litigation* (forthcoming 2013) (with Brandon Garrett).

**Diane Hoffmann** published the article “Legal Impediments to the Diffusion of Telemedicine,” 14 *JOURNAL OF HEALTH CARE LAW AND POLICY* 1 (2011) (with Virginia Rowthorn) and will contribute the book chapter “An Argument for Leadership Education in Law Schools” in *Law and Leadership: Integrating Leadership Studies into the Law School Curriculum* (P. Monopoli and S. McCarty eds.) (Ashgate Publishing Ltd., forthcoming 2012). She presented “Human Subjects Research Regulations: Proposals for Reform—Research on the Human Microbiome” at the 35th Annual Health Law Professors Conference, Sandra Day O’Connor College of Law, Arizona State University, Tempe, AZ; “The Ethics of Health Claims and a Comparison of Health Claim Regulation in the U.S. and EU,” at the 3rd TNO Beneficial Microbes Conference: International Conference on the Health Impact and Future Potential of Beneficial Microbes, Noordwijkerhout, The Netherlands; “Legal and Regulatory

Implications of the Human Microbiome Project,” at the Human Microbiome Project ELSI (Ethical, Legal and Social Issues) Meeting, Baylor College of Medicine, Houston, TX; and “Are Federal Actions Regarding the Operation of Medical Marijuana Dispensaries at Odds with Public Health and Safety Goals?” Annual Meeting of the American Public Health Association, Washington, DC.

**Paula Monopoli** co-authored the book *Contemporary Approaches to Trusts and Estates* (Aspen Publishing, 2011)(with others), will publish the article “Toward Equality: Nonmarital Children and the Uniform Probate Code,” 45 *UNIVERSITY OF MICHIGAN JOURNAL OF LAW REFORM* (forthcoming 2012), and contributed the book chapter “Women and the Gendered State,” in *Feminist Constitutionalism* (B. Baines et al. eds.) (Cambridge University Press, 2011) (with E. McDonagh). She presented “Toward Equality: Nonmarital Children and the Uniform Probate Code” at the Symposium on the Remaking of American Succession Law, University of Michigan School of Law; “Gender, the University and Legal Academia” at the Symposium “Gender and the Legal Profession’s Pipeline to Power,” Michigan State University College of Law; and “Women as Scholars: Promoting Your Work in the Legal Academy” at the University of Texas School of Law.



**MICHAEL PINARD, Professor and Director of the UM Carey Law Clinical Law Program, has been recognized by the White House as a Champion of Change, an honor given to individuals for their outstanding public service. On October 13, 2011, he participated in a national online conversation among law students and faculty, lawyers, and social service professionals on what can be done to close the justice gap. The conversation, hosted at the White House, included Attorney General Eric Holder and 15 other honorees.**



**Michael Pappas** published the article “Unnatural Resource Law: Situating Desalination in Coastal Resource and Water Law Doctrines,” 86 *TULANE LAW REVIEW* 81 (2011) and will publish “Anti-Waste Principles for Management of Limited Resources,” 72 *LOUISIANA LAW REVIEW* (forthcoming 2012).

**Robert Percival** published the articles “Who’s in Charge? Does the President Have Directive Authority over Agency Regulatory Decisions?” 79 *FORDHAM LAW REVIEW* 2487 (2011), and “Global Law and the Environment,” 86 *WASHINGTON LAW REVIEW* 579 (2011), and contributed the book chapter “Law, Society and the Environment,” in *Law, Society and History: Themes in the Legal Sociology and Legal History of Lawrence M.*

**Friedman** (R. Gordon & M. Horowitz, eds.) (Cambridge University Press, 2011), and co-authored the article “CERCLA in a Global Context,” 41 *SOUTHWESTERN UNIVERSITY LAW REVIEW* 727 (2012) (with Katherine H. Cooper and Matthew Gravens). He made 34 presentations at 14 academic institutions in the U.S., China, and Canada and at other agencies and organizations including the World Bank, the Supreme Court of Rio de Janeiro, two sections of the American Bar Association, the All China Environment Federation, the Environmental Law Institute, and the Association of California Water Administrators. He also testified before a subcommittee of the House Committee on Oversight and Government Reform of the U.S. Congress.

**Michael Pinard** served as a panelist for “Criminal Records and Civil Benefits: An Intersection that Collides,” at the 14th Annual Maryland Partners for Justice Conference, “Ripples of Injustice: The Impact of Criminal Justice Policies on Minority Communities,” at New York Law School, and “The Way to Carnegie: A Conversation about Pedagogy, Social Justice and Cost in Experiential Legal Education,” at Boston College Law School. He served as a moderator for “Overcoming Barriers,” at the First Annual Statewide Community Re-Entry Symposium, Annapolis, MD; presented “The Potential Impact of *Padilla v. Kentucky* on Legal Representation and the Academy,” at a Hofstra University School of Law Faculty Workshop; and was a participant in the American Bar Association’s Standing Committee on Legal Aid & Indigent Defendants and the National Association of Criminal Defense Lawyers Focus Group, *National Indigent Defense Reform: The Solution is Multifaceted* (Focus Group conducted for the Department of Justice, Bureau of Justice Assistance).

**Garrett Power** was a Lord Baltimore Research Fellow at the Maryland Historical Society during 2011-2012. His research resulted in the electronic publication of “Baltimore After the War of 1812: Where Robert Mills met his Waterloo and James A. Buchanan broke the Bank,” *University of Maryland Legal Studies Research Paper No.*

2012-25. He presented a talk entitled, “Property Rights, the ‘Gang of Four’ & the Fifth Vote,” at the Judicial Takings Symposium, Widener Law School, Harrisburg, PA, based on his article of the same name (28 *WIDENER LAW JOURNAL* 627 (2012)). He also presented “Wallace-McHarg’s Design with Nature: Ecology or Exclusion?” to the Sixth International Conference of the International Academic Association on Planning, Law, and Property, Belfast, Northern Ireland.

**Amanda Pustilnik** published the article “Pain as Fact and Heuristic: How Pain Neuroimaging Illuminates Moral Dimensions of Law,” 97 *CORNELL LAW REVIEW* 801 (2012).

**Peter Quint** contributed the book chapter “German Unification and the Federal Constitutional Court: A Retrospective View after Twenty Years,” in *German Unification: Expectations and Outcomes* (P. Caldwell and R. Shandley eds.) (Palgrave Macmillan, 2011). He also presented “From the General Will to ‘Le Gouvernement des juges’ in France: History and Implications” at an interdisciplinary conference on “The Idea of France,” University of Pittsburgh, Pittsburgh, PA; and “The Global Constitutional Canon: Some Preliminary Thoughts” at the Maryland Constitutional Schmooze, University of Maryland Francis King Carey School of Law, Baltimore, MD.

**Shruti Rana** published the articles “Touched by Greatness,” 73 *MONTANA LAW REVIEW* 21 (2012) and “The Emergence of the New Chinese Banking System: Implications for Global Politics and the Future of Financial Reform,” 27 *MARYLAND JOURNAL OF INTERNATIONAL LAW* 215 (2012), and will publish “Chevron Without the Courts? The Supreme Court’s Chevron Revision Project through an Immigration Lens,” 26 *GEORGETOWN IMMIGRATION LAW JOURNAL* (forthcoming 2012), and “Philanthropic Innovation and Creative Capitalism,” 64 *ALABAMA LAW REVIEW* (forthcoming 2013). She presented the lecture “Microcredit: Money, Morality, and Myth,” for the Comparative Corporate Governance Distinguished Lecture Series

at the Fordham Corporate Law Center, Fordham Law School, New York, NY; presented “The Development of the New Chinese Banking System: Domestic Modernization or Global Financial Manipulation?” at the New Perspectives on Comparative Law Conference, American Society of Comparative Law, George Washington Law School, Washington, DC. (selected from a call-for-papers); served as a panelist for “The New State Capitalism: Will China’s Evolving Financial System Serve as an Example for Reforms in the Western World?” at the University of N.C. Law School Symposium on “Anticipating Dissension: When Legal Frameworks, U.S. Commerce and Foreign Markets Intersect,” Chapel Hill, NC; and served as a commentator for “Rubber Hits the Road: Implementing Dodd-Frank Amid Reform Fatigue,” AALS Financial Institutions Section, AALS Conference, Washington, DC.

**William Reynolds** published the article “Back to the Future in Law Schools,” 70 *MARYLAND LAW REVIEW* 101 (2011), and will publish “From Lord Coke to Internet Privacy: The Past, Present, and Future of Electronic Contracting,” 71 *MARYLAND LAW REVIEW* (forthcoming 2012) (with Juliet Moringiello), *Injustice on Appeal* (with William Richman) (Oxford University Press, forthcoming 2012), and the 4th edition of *Understanding Conflict of Laws* (with William Richman) (forthcoming 2012). He also presented “Choice of Law” and “Ethics” at the ERICSA Annual Meeting, and “Where We Are in Electronic Contracting” at the 5th International Conference on Contracts in Gulfport, FL.

**Robert Rhee** published the articles “The Law School Firm,” 63 *SOUTH CAROLINA LAW REVIEW* 1 (2011) (with Bradley Borden), “On Legal Education and Reform: One View Formed from Diverse Perspective,” 70 *MARYLAND LAW REVIEW* 310 (2011), and will publish “A Financial Economic Theory of Punitive Damages,” 111 *MICHIGAN LAW REVIEW* (forthcoming 2012), and “The Tort Foundation of Duty of Care and Business Judgment,” 88 *NOTRE DAME LAW REVIEW* (forthcoming 2013).

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He has also published the book *Essential Concepts of Business for Lawyers* (Aspen Publishers, 2012), and co-authored a multi-volume practice guide series *Limited Liability Entities: State by State Guide to LLCs, LLPs and LPs* (Wolters Kluwer, 2012). He presented “Ethical Issues in Business and the Lawyer’s Role” at Emory University School of Law; “Preliminary Thoughts on Causation and Risk Classification,” at the Annual AALS Conference, Section on Insurance Law, Washington, DC; “A Financial Economic Analysis of Punitive Damages,” at the Italian Society of Law & Economics Conference, the Canadian Law & Economics Association Conference, and the Midwest Law & Economics Association Conference; and “On Duopoly and Compensation Games in Credit Ratings,” at the Law & Society Conference. Additionally, he presented academic papers at the University of Florida Frederic G. Levin College of Law, Florida State University College of Law, and Arizona State Sandra Day O’Connor College of Law.

**Karen Rothenberg** published the articles “Teaching Law Students to Be Policymakers: The Health and Science Policy Workshop on Genomic Research,” 40 JOURNAL OF LAW, MEDICINE & ETHICS 147 (2012) (with B. Berkman), and “Genes and Plays: Bringing ELSI Issues to Life,” 14 GENETICS IN MEDICINE 274 (with L. Bush). Her work on genomic policy issues and the use of theatre to identify and enhance dialogue on the ethical, legal, and social implications posed by emerging genomic technologies has been presented worldwide, including at the University of Sydney and the Centre for Law and Genetics in Tasmania, Australia.

**Jana Singer** presented “Gender and Parenting: Should Mothers and Fathers Be Treated the Same?” at the International Center for Health, Law, and Ethics, Tel Aviv University, Tel Aviv, Israel.

**Max Stearns** published the articles “Commerce Games and the Individual Mandate,” 100 GEORGETOWN LAW JOURNAL 1117 (2012) (with Leslie Meltzer Henry), and “Direct (Anti-) Democracy,” 80 GEORGE WASHINGTON LAW REVIEW 311 (2012).

He also contributed the Op-Eds “No Fiction Pulitzer: The Problem Wasn’t the Books,” *Baltimore Sun* (April 23, 2012), and “Individual Mandate is Constitutional,” *Baltimore Sun* (March 22, 2012) (with Leslie Meltzer Henry).

**Rena Steinzor** published the articles “The Case for Abolishing Centralized White House Regulatory Review,” 1 MICHIGAN JOURNAL OF ENVIRONMENTAL AND ADMINISTRATIVE LAW 209 (2012); “Evaluating Rules and How We Measure Their Effects,” 29 ENVIRONMENTAL FORUM 36 (2012) (with Michael Patoka); “Lessons from the North Sea: Should ‘Safety Cases’ Come to America?” 38 BOSTON COLLEGE ENVIRONMENTAL AFFAIRS LAW REVIEW 417 (2011); “The Truth About Regulation in America,” 5 HARVARD LAW & POLICY REVIEW 323 (2011); and “Too Big to Obey: Why BP Should be Debarred,” 36 WILLIAM & MARY ENVIRONMENTAL LAW & POLICY REVIEW 81 (2011) (with Anne Havemann). She also gave the testimony “Evaluating the Science and Process behind Chemical Risk Assessment,” before the U.S. House Committee on Science, Space, and Technology, Subcommittee on Investigations and Oversight; and “The American Energy Initiative Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011,” before the U.S. House Committee on Energy & Commerce, Subcommittee on Energy & Power.

**Lawrence Sung** published the *2011-2012 Patent Law Handbook* (Thomson/West, 2012), and “Medical Alert: Alarming Challenges Facing Medical Technology Innovation,” 6 JOURNAL OF BUSINESS & TECHNOLOGY LAW 35 (2011). He also presented “Protecting Diagnostic Method Claims post-*Bilski*: Lessons for Prosecutors and Litigators to Comply with Increasingly Strict Standards of Patentability,” at the American Conference Institute Conference on Medical Device Patents, Boston, MA; “Patenting Biologics in Times of Change,” BioWorld Webinar, Washington, DC; and “Ethical Patenting” at the Manzo Scholar Series, DePaul University Law School, Chicago, IL.

**Michael Van Alstine** co-authored *International Business Transactions:*

*A Problem-Oriented Coursebook* (11th ed. 2012) (with others), and contributed the book chapter “Treaties in the Supreme Court, 1901-1945, in *The U.S. Supreme Court and International Law: Continuity or Change?* (D. Sloss, M. Ramsey, and W. Dodge, eds.) (Cambridge University Press, 2011). He also published the article “*Stare Decisis* and Foreign Affairs,” 61 DUKE LAW JOURNAL 941 (2012), and presented “A Comparative Analysis of the Enforcement of International Law in Domestic Legal Systems,” at the Asia-Pacific International Law Association meeting in Taipei, Taiwan.

**Urska Velikonja** published the article “Leverage, Sanctions, and Deterrence of Accounting Fraud,” 44 U.C. DAVIS LAW REVIEW 1281 (2011), and presented “The Social Cost of Financial Misrepresentations,” at the George Washington University C-LEAF Junior Faculty Business and Financial Law Workshop, Washington, DC, where she received the Junior Faculty Scholarship Award.

**Ellen Weber** presented “Health Care Reform Implementation in Maryland: Ensuring Access To Substance Use Disorder and Mental Health Care,” at the Baltimore Substance Abuse Systems 2012 Legislative Breakfast, Baltimore, MD; “Health Care Reform: Will We Build a More Comprehensive Care System for Persons with Addiction Problems?” at the Johns Hopkins Bloomberg School of Public Health, Baltimore, MD; “Health Reform Moves to the States: Maryland and the ACA: How Far In Front?” at the ASLME Health Law Professors Conference, Tempe, AZ; and “Implementation and Enforcement of the Mental Health Parity and Addiction Equity Act,” Congressional Forum, Chevy Chase, MD. An excerpt of her article, “Failure of Physicians to Prescribe Pharmacotherapies for Addiction,” will be reprinted in *Controlled Substances: Crime, Regulation, and Policy*, (Alex Kreit) (Carolina Academic Press, forthcoming 2012).

**Gordon Young** will publish “*United States v. Klein*: Then and Now,” 44 Loyola University CHICAGO LAW JOURNAL (forthcoming 2013).